

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

TOMMY STONE  
ADC #90693

PLAINTIFF

V.

5:07CV00030 JMM/JTR

LARRY NORRIS, Director,  
Arkansas Department of Correction, et al.

DEFENDANTS

**ORDER OF DISMISSAL**

Plaintiff, who is currently incarcerated at the Cummins Unit of the Arkansas Department of Correction has commenced this *pro se* § 1983 action alleging that Defendants violated his constitutional rights. *See* docket entry #2.

On March 14, 2007, the Court issued an Order giving Plaintiff thirty days to file an Amended Complaint containing information necessary to complete the screening function mandated by 28 U.S.C. § 1915A. *See* docket entry #3. Importantly, the Court advised Plaintiff that the failure to timely and properly do so would result in the dismissal of this case, without prejudice, pursuant to Local Rule 5.5(c)(2).<sup>1</sup> *Id.* As of today's date, Plaintiff has failed to comply with the Court's March 14, 2007 Order, and the time for doing so has expired.

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<sup>1</sup> Local Rule 5.5(c)(2) provides that: "It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. If any communication from the Court to a *pro se* plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure." (Emphasis added.)

IT IS THEREFORE ORDERED THAT:

1. Pursuant to Local Rule 5.5(c)(2), this case is DISMISSED, WITHOUT PREJUDICE, due to Plaintiff's failure to timely and properly comply with the Court's March 14, 2007 Order (docket entry #3).

2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order of Dismissal and the accompanying Judgment would not be taken in good faith.

Dated this 30<sup>th</sup> day of April, 2007.

  
UNITED STATES DISTRICT JUDGE